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The Honorable Tom Lantos  
United States House of Representatives  
2217 Rayburn House Office Building  
Washington, DC 20515-0512

Dear Representative Lantos:

We are well aware of your long-standing history of promoting human rights and applaud your efforts to address a child right's issue that has been left unchanged in United States' law for too long. The loss of life due to work-related accidents is a tragic reality in some work environments. However, it should be completely avoidable when it comes to a child or youth. During the first two weeks of August, four young workers, all of them 16 years of age, died on the job—two in commercial agriculture, one in roofing, and one in a wrecking yard. These deaths are not unique. They are representative of the on-going problems associated with the lack of protections that are afforded to American youth who are working as hired workers in dangerous jobs at too young an age. Changes to our laws and regulations protecting our children and youth are needed. We believe that the Youth Worker Protection Act that you are introducing will help. We believe that the proposed changes to the laws under the Fair Labor Standards Act (FLSA) will help to make them more up-to-date, appropriate to address the needs of working youth in today's workplace, and increase the protection of the rights of America's children.

Young workers under the age of 18 are injured on the job every 30 seconds. Every five days one teen dies due to a workplace injury. These statistics are not from a developing country but from the most powerful nation in the world—the United States. These statistics are from the National Institute for Occupational Safety and Health (NIOSH) and reflect the reality of youth employment in the United States. Yet, the Hazardous Orders (HOs) found in the FLSA have not been comprehensively reviewed and updated since they were enacted in 1938, and only minor adjustments in 1978. These HOs are our first line of defense in protecting youth from engaging in dangerous occupations and industries, and working around machinery that threatens their health, safety and ultimately their lives.

Tragically, the current FLSA allows for children under the age of 10 to lawfully work as hired workers in agriculture. 800,000 youth, who are under the age of 18, work as hired workers on farms throughout America. These are not the children of farm owners, but the children of migrant and seasonal farm laborers. They harvest the fruits and vegetables that grace our tables daily. These children are routinely exposed to dangerous pesticides—chemicals that can cause acute and chronic health problems, even death. They risk serious injuries from the use of hazardous equipment and tools without protection. These work-related risks could leave them totally unemployable when they reach adulthood. Under the FLSA, children and youth working in agriculture are less protected than any other youth. They are allowed under current law to work in hazardous activities at age 16—such as mixing, loading and applying dangerous chemicals—while other industries require workers be a minimum of 18 years of age. In agriculture, children are allowed to work at younger ages, for more hours, at any hour of the day or night

(outside of school hours)—while this is not allowed in other industries. All of these exceptions are permitted in an industry that has the dubious honor of being one of the top three most dangerous industries in the US. These exemptions were allowed for an agricultural workplace of the 1930's—quite unlike the agricultural workplace of today. These disparities under the law must be corrected. The laws that protect our nations working children and youth must be brought up to date and be rational and appropriate for today's work environment.

Additionally, research shows that students who work more than 20 hours a week demonstrate higher incidence of academic distress, alcohol and drug abuse, and autonomy from parents. Yet, in the United States, a student who is 16 years of age and older can work unlimited hours per day or week, at any time of day or night during a school week. More teens in the United States are employed and work for longer hours during the school week than in any other developed nation. It is no wonder then, that those countries are outperforming the United States in academic scores. This forces the question of where are we placing our priorities—promoting education for our youth for the future or exploiting the health and safety of our youth through hazardous work? Laws and priorities must be consistent.

The International Initiative to End Child Labor (IIECL) commends you for addressing these critical issues, as well as others, in the Youth Worker Protection Act. These issues need to be addressed. We believe the problems can be corrected. We must strive to protect our future, and our future lies with our children and youth. We must not be satisfied with the status quo—our children and the future of our nation demands more than that.

While we agree that some employment experiences offer youth a unique opportunity to learn the value of work, how to handle responsibilities, and how to set priorities, there are, however, serious risks involved. Some work activities that are currently allowed under the law are simply not age and task appropriate for children and youth to perform. Clearly, work that has the potential to destroy the future employability of a child or youth is counterproductive. While IIECL supports appropriate and safe youth employment, so much of the work that children and youth do today, offers neither of these. The child labor provisions within the FLSA are inadequate and outdated. It is critical that they be revised and updated to reflect the realities of youth employment today, the new technologies and hazards that exist, and the educational competitiveness our youth need in order to succeed in the future.

Founded in 1998, IIECL is America's first and only organization whose sole mission is to eliminate the worst forms of child labor. Its programs are geared to promote effective interventions that protect children's occupational safety and health and improved educational opportunities.

IIECL is pleased to endorse the Youth Worker Protection Act and is committed to promoting the bill's passage. Thank you for your leadership on this important issue and for your steadfast record of promoting human rights for all.

Sincerely,

L. Diane Mull  
President and Chief Executive Officer